

From: Brian Summers
To: Microsoft ATR
Date: 1/24/02 1:52am
Subject: Microsoft Settlement

To whom it may concern,

I am writing in response to the proposed settlement agreement with Microsoft in the Anti-trust lawsuit. I want to express my severe disappointment and outrage with the proposed settlement agreement. This agreement does nothing at all to Microsoft. All it forces them to do is to follow current law as it already is written. It does nothing at all to remove all the power and influence Microsoft has received by exercising its illegal monopoly over the computer OS industry.

How can you even start to believe that this settlement is fair for anyone outside of Microsoft? You are basically giving them a slap on the wrist, and saying, "Ok, we caught you. Don't do this again now. You can go back to your business, but play by the rules now." This action is akin to catching a major drug dealing ring, arresting them, and then letting them go, as long as they promise not to deal drugs again. And not only did you let them go, you gave back all the drugs you confiscated when you made the arrest as well as all their drug money.

Microsoft has a clear unfair advantage over any other company in the operating system industry. Microsoft already received enough of the fruits of illegally using its monopoly and has been able to grow to what it is now because of this. Something needs to be done in any settlement that DIRECTLY AFFECTS Microsoft's assets and holdings, as well as its power and influence over the OS industry. These aspects of Microsoft grew out of the direct result of them illegally using its power. As such, anything that was gotten illegally should be taken away, or at least an attempt needs to be made to level the playing field in the industry. This settlement falls very short of what needs to be done do so.

One of the major flaws in the settlement is that Open Source projects like the Linux Operating System also should have access to the communication and API protocols that Microsoft's OS's use. Linux is currently the MAIN competition that Microsoft is facing in the OS industry. No allowing Microsoft's main competition access to the protocols simply because the system is Open Source makes no sense at all. Linux is the competition and as such needs to have access to the protocols as well.

Direct compensation needs to be made to the consumers of Microsoft products. Prices on their OS licenses have not changed at all. Because there is no competition, there was no reason for Microsoft to give a reasonable price for their product, simply because people had to use it.

The idea of letting Microsoft possibly make compensation by purchasing computers and software for some of the country's poorest school district does nothing but increase Microsoft's hold over the computer industry. If any deal like this is made, Microsoft should be forced to use the full amount of money in any such action to purchase computer hardware only. The cost of the software to Microsoft would be nothing, if Microsoft software was used. Because Microsoft has the ability to make an infinite number of licenses of their software, the actual cost of that software to them is nothing, and as such does nothing to hurt Microsoft. All this type of deal would do is create another generation of people to later purchase a Microsoft product. Red Hat Linux had an alternate proposal that I and many others feel would be much more effective. Red Hat proposed that Microsoft purchase only hardware, and that Red Hat would provide the software for the computers. Thus allowing many more computers to be given to more schools and also teaching people that there is more than one choice for a computer operating system.

In closing, this proposed settlement does NOTHING but allow Microsoft to continue business as usual. We had a better settlement deal BEFORE Microsoft was found GUILTY then we have with this settlement after their guilt was PROVEN in court. This deal is completely one sided and its side most certainly looks like Microsoft to me. What do I as a member of the computer industry get out of this? What does everyone else who simply had to pay outrageous prices for Microsoft products get out of this? What does the computer industry get out of this other than the fact that Microsoft will still be as powerful as ever? How does this do anything to change the way things are? Well, if you ask me the answer to all those questions above is nothing. And that is what this settlement does, its does nothing.

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